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Patent
Attorney Docket No. GEMS8081.027

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Singh et al.
Serial No. : 09/710,543
Filed : November 9, 2000
For : A Method of Designing an Electronic Transaction System
Group Art No. : 3627
Examiner : Rudy, A.

CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

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Date: 9-30-04

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INTERVIEW SUMMARY

Dear Sir:

With regard to the telephone interview held on September 22, 2004, please find the following remarks:

Singh et al.

S/N: 09/710,543

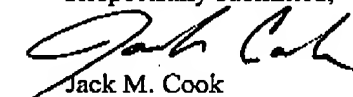
REMARKS

Claims 1-29 are pending in the present application with claims 11-29 having been withdrawn from consideration. In the Office Action mailed July 13, 2004, the Examiner rejected claim 1 under 35 U.S.C. 102(b) as being anticipated by Meyer et al. (USP 6,041,304). The Examiner next rejected claims 1-10 under 35 U.S.C. §103(a) as being unpatentable over "Witala et al."

In a telephone conference on September 22, 2004 between Examiner Rudy and the undersigned, it was explained that in preparation for responding to the Office Action mailed July 13, 2004, Applicant identified an error in the Office Action. Specifically, the Examiner rejected claims 1-10 as being unpatentable over "Witala et al. US 6,029,144." However, when attempting to procure a copy of "Witala et al." using the provided patent number (USP 6,029,144) Applicant identified that USP 6,029,144 corresponds to another reference of record: Barrett et al. Upon reviewing the substantive remarks made by the Examiner with respect to USP 6,029,144, it was apparent that the rejection was in fact based on some reference other than Barrett et al., probably "Witala et al." However, as no reference was made to "Witala et al." in the Notice of References Cited provided by the Examiner, Applicant was unable to locate the cited "Witala et al." and contacted the Examiner. In response, the Examiner acknowledged that Applicant could not substantively respond to the rejection of claims 1-10 based on "Witala et al." and agreed to retract the July 13, 2004 Office Action and to issue a new Office Action correcting the error and providing Applicant with the information necessary to locate "Witala et al" and substantively respond to this basis of rejection.

Applicant appreciates the Examiner's consideration of these Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,



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